

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

CIVIL MINUTES – GENERAL

Case No. **2:24-cv-02615-FLA-MAA**

Date: **August 13, 2024**

Title **Armani Marsalis Gates I v. Martin O'Malley**

Present: The Honorable MARIA A. AUDERO, United States Magistrate Judge

Cindy Delgado

N/A

Deputy Clerk

Court Reporter / Recorder

Attorneys Present for Plaintiff:

N/A

Attorneys Present for Defendant:

N/A

Proceedings (In Chambers): Order to Show Cause Re: Dismissal for Lack of Prosecution

On March 27, 2024, Plaintiff Armani Marsalis Gates I (“Plaintiff”) filed a Complaint seeking review of the final decision denying her application for supplemental security income. (Compl., ECF No. 1.) On April 8, 2024, the Court issued an Initial Case Management Order Regarding Procedures in Social Security Appeals (“Order”). (Order, ECF No. 4.) The Order directed the parties to follow 42 U.S.C. § 405(g) and the Supplemental Rules for Social Security Actions Under 42 U.S.C. § 405(g) (“Supplemental Rules”) for the procedures for pleading, serving, and litigating this action. (*Id.* § III (citing Supp. R.).) Pursuant to the Supplemental Rule 6, “[t]he plaintiff must file and serve on the Commissioner a brief for the requested relief within 30 days after the answer is filed or 30 days after entry of an order disposing of the last remaining motion filed under Rule 4(c), whichever is later.” Supp. R. 6. Thereafter, “[t]he Commissioner must file a brief and serve it on the plaintiff within 30 days after service of the plaintiff’s brief.” Supp. R. 7. Finally, “[t]he plaintiff may file a reply brief and serve it on the Commissioner within 14 days after service of the Commissioner’s brief.” Supp. R. 8.

On June 3, 2024, Defendant filed an answer and the Certified Administrative Record. (ECF No. 7.) To date, Plaintiff has not filed a brief as required by Supplemental Rule 4. Plaintiff is **ORDERED TO SHOW CAUSE** by **September 12, 2024** why the Court should not recommend that the lawsuit be dismissed for failure to prosecute and comply with a Court order. If Plaintiff files a brief for the requested relief on or before September 12, 2024, the Order to Show Cause will be discharged, and no additional action need be taken.

Plaintiff is cautioned that failure to respond to this Order may result in a recommendation that the Complaint be without prejudice for failure to prosecute and/or failure to comply with a Court order pursuant to Federal Rule of Civil Procedure 41(b). See C.D. Cal. L.R. 41-1.

It is so ordered.